

EXHIBIT B

Deposition of Terri Pechner-James
June 7, 2006

Pages 1411 – 1412

14 Q. Okay. You say that "During the brief
15 conversation with prisoner John Barker, he made
16 statements to me that Lieutenant Santoro had
17 questioned him as to how he knew me." What did
18 Mr. Barker tell you?

19 A. I'm thinking, because I already
20 answered these questions a couple times, so I
21 just -- being the last day of depositions, you
22 continue to ask the same questions that I've
23 already answered.

24 Q. Okay. Well, I'm not sure it's the
1 last day of depositions, but be that as it may,
2 all right, well, let's --

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8 MR. PORR: Okay. All right. Counsel,
9 I have 1:20, and I'm prepared to move on to
10 discussing the January '99 meeting in some
11 detail. Take maybe a 45-minute break until 2:00
12 for lunch?

13 MS. THORNE: That's good.

14 MR. AKERSON: Sounds good.

15 (Luncheon recess taken 1:20 to 2:10.)

16 MR. PORR: We're back on the record.

17 And before we get started, we are reconvening
18 after our lunch break, and we started an hour
19 late, and Miss Thorne at the beginning of the
20 session offered to go until 6:00 to make up for
21 the missing hour. And then during lunch break,
22 defense counsel discussed that, and the weather
23 is deteriorating or continuing to be bad, and on
24 top of that, my oldest daughter and son-in-law
1 are in from California, so we want to go ahead
2 and stop at five to give us a decent shot at
3 getting back to Boston, the weather being what it
4 is, and so that I can spend some time with my
5 daughter and son-in-law in from California this
6 week.

7 And then Miss Thorne indicated that
8 she had talked to Mr. Dilday, and he said that
9 the deposition session should end at four by his
10 count. So we discussed the hours that have been
11 spent in deposition briefly off the record, and

12 then Miss Thorne and her client talked, and I
13 believe you talked to Mr. Dilday again by phone?

14 MS. THORNE: I tried. He was
15 unavailable. I got of course the answering voice
16 mail message.

17 MR. PORR: So I think where we are
18 left at this point is Miss Thorne indicates that
19 Miss Pechner is willing to go to 4:30?

20 MS. THORNE: Yes.

21 MR. PORR: And then at 4:30, basically
22 wherever we're at, you guys are going to call it
23 a day and leave?

24 MS. THORNE: Yes.

1 MR. PORR: And the reason you're going
2 to do that is you believe that's all you have to
3 be here for?

4 MS. THORNE: Having spoken to
5 Mr. Dilday, he is under the impression or he gave
6 me the impression that she has completed the
7 two-and-a-half days required staying until four
8 o'clock so --

9 MR. PORR: And from my point of view,
10 I think that's mistaken, but I don't think

11 there's anything to be gained by arguing about
12 the math on the record now. So we will go ahead
13 and pick up, it's approximately 2:10 or so, madam
14 reporter has the official time, so we'll leave it
15 at that. So let's pick up.

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14 Q. Before I hand you what's been marked
15 Exhibit 40, while madam reporter was marking the
16 exhibit, I noticed you were looking at your
17 watch, Miss James.

18 A. Yes.

19 Q. What time do you have on your watch?

20 A. 20 of four -- 20 after four.

21 Q. Okay, and I have about 21 or 22 after.

22 The clock in the next room has about 19 after.

23 So is it still your intention to stop at 4:30?

24 A. Yes.

1 Q. Whose watch are we going to use?

2 A. Yours.

3 Q. Very well.